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VIA ECF

January 15, 2020

Hon. Edgardo Ramos
United States District Judge, Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

MEMO ENDORSED

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: Jan. 16, 2020

Re: Eaton Partners, LLC v. Azimuth Capital Management IV, LTD.,
18 Civ. 11112 (ER) (Ramos, D.J.)

Dear Judge Ramos,

We represent Respondent, Azimuth Capital Management IV LTD. (“Azimuth”), in the above-referenced matter. We write to seek an adjournment of the discovery conference scheduled for January 22, 2020 to January 29, 2020 or as soon thereafter as is convenient for the Court. There have been no previous requests to adjourn this conference. We articulate the reasons for this request below. Petitioner Eaton Partners, LLC (“Eaton”) joins in this request.

On January 10, 2020, in the proceeding between the parties in Canada, Azimuth was ordered to post security of CAD \$1,650,000.00 by January 20, 2020. Once security is posted, the post-judgment discovery disputes between the parties (and, in fact, the posting of security in the United States) before this Court will become moot. After Azimuth posts security in compliance with the order of Canadian Court, Eaton will agree that execution on this Court’s judgment may be stayed so long as the security in Canada remains posted to secure the judgment and the parties expect to submit a stipulated order to that effect to Your Honor in order to resolve the Motion to Stay [ECF. 66, 84]. Briefly continuing the scheduled conference for approximately one week will allow Azimuth to complete the posting of security and Eaton to verify such posting, and will save the Court and the parties time and expense that

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will be unnecessary. The parties are making the adjournment request now so as not to submit to this Court a last-minute request to take the conference off-calendar after security is posted. Once Azimuth posts security in Canada on or before January 20, 2020, the parties will jointly advise the Court well in advance of the adjourned conference.

Finally, the parties have agreed that Azimuth's reply to Eaton's opposition to the motion to stay will be due on January 27, 2020, consistent with the aim of saving time and expense that will be unnecessary.


Respectfully,



Vincent P. Sherman
Attorney for Azimuth Capital Management IV LTD.

cc: Gary Klein, Esq. (via ECF)
Todd Michaelis, Esq. (via ECF)
Attorneys for Eaton Partners, LLC

The conference is adjourned to
January 29, 2020 at 11:30 AM.
It is SO ORDERED.



Edgardo Ramos, U.S.D.J
Dated: Jan. 16, 2020
New York, New York